

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

Rake Properties

PLAINTIFF(S)

VERSUS

CIVIL ACTION NO. 1:06cv578-LTS-RHW

XL Specialty Insurance Company, *et al.*

DEFENDANT(S)

AGREED JUDGMENT OF DISMISSAL

This cause comes before the Court *sua sponte*, the parties having announced that they have reached a compromise and settlement of all pending claims in this matter. Accordingly, the Court being desirous of removing this matter from its docket;

IT IS, THEREFORE, ORDERED AND ADJUDGED that this action be, and it is hereby dismissed with prejudice with each party to bear its own costs. By agreement of the parties, the Court hereby retains jurisdiction to enforce the settlement agreement. If any party fails to consummate the settlement agreement within thirty (30) days, any aggrieved party may move to reopen the case for enforcement of the settlement agreement. Upon hearing any motion for enforcement of the settlement agreement, the Court may award attorneys' fees and costs to the prevailing party.

SO ORDERED AND ADJUDGED this the 18th day of October, 2006.

s/ Robert H. Walker
United States Magistrate Judge